

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

William A. Newsom

Plaintiff,

v.

Stanley W. Taylor, et al

Defendant.

Civil Action No. 05-673 GMS

Motion for Appointment of Counsel




Plaintiff, William A. Newsom, pursuant to 28 U.S.C. 1915, requests this honorable court to appoint counsel to represent petitioner in the above entitled action for the following reasons:

1. The plaintiff is unable to afford counsel.
2. The issues involved with this case are complex.
3. The complaint in this case alleges that the defendant's subjected plaintiff to:
 - (A) Deliberate Indifference
 - (B) Cruel and Unusual Punishment
 - (C) Went as far as to have a Lieutenant "lean" on the plaintiff by threatening him bodily harm because of pending civil action. Subsequently, said Lieutenant has been fired from the Department of Corrections.
4. The plaintiff's allegations, if proved, would clearly establish a constitutional violation.
5. The plaintiff is representing himself with very limited legal knowledge against a Deputy Attorney General who is representing the state defendants, and (2) two private attorney's who are representing First Correctional Medical, LLC.

6. Plaintiff has made several attempts to obtain counsel.
7. In deciding whether to appoint counsel for an indigent litigant, the court should consider "the factual complexity of the case, the ability of the indigent to investigate the facts, the existence of conflicting testimony, the ability of the indigent to to present his claim and the complexity of the legal issues". In addition, courts have suggested that the most important factor is whether the case has merit.

For the foregoing reasons, the court should grant the plaintiff's motion and appoint him counsel in this case

Submitted this 13 day of December, 2006.

A handwritten signature in cursive script that reads "William A. Newsom". The signature is written in dark ink and is positioned above a horizontal line.

William A. Newsom
Delaware Correctional Center
1181 Paddock Road
Smyrna, DE 19977

Certificate of Service

I, William A. Newsom, hereby serve a true and correct copy of this Motion for Appointment of counsel upon the following parties:

U.S. District Court
844 N. King Street
Lockbox 18
Wilmington, Delaware 19801

Daniel L. McKenty, esq.
Dana Spring Monzo, esq.
1225 N. King Street, Suite 1100
P.O. Box 397
Wilmington, Delaware 19899

Eileen Kelly, esq.
Deputy Attorney General
Carvel State Building
820 N. French Street
Wilmington, Delaware 19801

Signed this 13th day of December 2006

A handwritten signature in cursive script that reads "William A. Newsom".

William A. Newsom
1181 Paddock Road
Delaware Correctional Center
Smyrna, Delaware 19977